The
REPORTER
For Conscience' Sake

VOLUME XI | MARCH, 1954 | NUMBER 3

SS Monograph on "Problems" Cites Objectors

Selective Service Monograph number 16, in two volumes, entitled "Problems of Selective Service," refers to conscientious objectors in several places in its total of 550 pages. On page 20, in the chapter on general problems, the problem of COs is noted with emphasis on the difficulty of selecting appropriate work projects, the organization of camps, maintaining order and discipline, and the devising a system of discharges. The monograph deals with World War II problems.

In the chapter on appeals, on page 84, it is stated that the number of CO appeals created a major problem for Selective Service. It observes that of the approximately 25,000 men classified I-A-O and IV-E as COs by local boards from October 1940 to July 31, 1945, 12,320 appeals were recorded.

In the chapter on "Pressures Upon Selective Service" it notes on page 200: "Pacifist groups exerted strong influence in the behalf of conscientious objectors and the resultant legislation contained provisions advocated both by historic peace and other churches."

H. R. 7861 WOULD LIMIT DRAFT AGE TO 24

Representative Marshall of Minnesota on February 12 introduced H. R. 7861 which would lower the maximum draft age to 24 years. It would do away with the current 26-year limit for many draft-liable men and would end "liability to 35" for currently-deferred men. It is probable it will not receive favorable consideration by Congress.

HERE AND THERE

A highly reliable Defense Department source declares that the *policy of the Marines on I-A-Os* drafted into that service is to attempt to coerce these I-A-Os into combatant service. The Marines have no noncombatant service. If coercion fails, the I-A-O is then handled some other way. It seems obvious the Marines have no intention of obeying the law requiring noncombatant service for I-A-Os.

* * *

NSBRO is preparing a *formal brief on second prosecutions* to be presented to Selective Service in the next month or two.

* * *

A *legal roadblock* is reported to have been reached by the Justice Department in connection with CO cases where the FBI files are demanded by judges, but the Department adamantly refuses to allow the judges to see the files. The Justice Department would rather drop prosecutions than produce the files. The Associated Press on February 22 carried a long article on this *legal roadblock*.

* * *

A letter from Philip K. Allen, clerk of the Senate Armed Services Committee, dated February 23, states there is no legislation before it "which would affect the present status of conscientious objectors under existing draft laws." The letter adds: "Generally speaking, the *Committee has received no widespread criticism* of the manner in which the conscientious objector program is operating."

Hassler Book On Prison Term "Must Reading"

Appearing recently as another significant product of conscientious objector experience during World War II is the *Diary of a Self-Made Convict*, by Alfred Hassler, literature secretary of the Fellowship of Reconciliation. (Henry Regnery Co., Chicago, $3.00.)

The author, who rejected Civilian Public Service as an integral part of the modern war system, recounts the day-to-day observations and reactions experienced from 1944-1945 while serving the minimum part of a three-year sentence. June 12, 1944, finds him opening his diary as follows:

". . . My bed is a narrow steel bunk in a cell roughly eight feet long and five wide, which I share with another man, a wash-basin, a tin cabinet, and a toilet. . . ."

The diary is not a book about conscientious objection. Like the many conscientious objectors serving in state hospitals protested deplorable practices in the treatment of the mentally ill, so Hassler is deeply disturbed about institutional practice in treatment of our criminals. However, the author is less concerned about revealing corrupt prison practices or condemning prison administration than with pointing out the inadequacy of our whole concept of criminal reform. This he does with a keen and sympathetic understanding of his fellow prisoners combined with an ability to portray vividly.

Bob McCreery, a young military prisoner sentenced to 30 years, whom the author attempts to help after prison, is

(*Continued on page 2*)

Published by the National Service Board for Religious Objectors

The Reporter

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Published by the

National Service Board for Religious Objectors

1105 K Street, N.W., Washington 5, D. C.

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Entered as Second Class Matter at the Post Office at Washington, D. C.
Subscription: $1.00 Per Year
Published Monthly

NOT "DAWN" BUT "ASSOCIATED"

On page 5 of the January 1954 REPORTER the "Dawn Bible Students" were listed as having 12 men in the I-W civilian work program. This name is improperly listed. Instead it should be "Association of Bible Students." Actually, the "Dawn Bible Students" is simply one group in the larger "Association of Bible Students."

According to the most recent tally, released by Kenneth W. Rawson, of the Bible Students National Committee for Religious Conscientious Objectors, 145 Passaic Avenue, Rutherford, New Jersey, there are at least 15 men in I-W from the Association of Bible Students.

Mr. Leon H. Norby of 145 Passaic Avenue, Rutherford, New Jersey, along with Mr. Rawson, have attended numerous meetings of the NSBRO Consultative Council in the past. Mr. Norby is a member of the CO Committee, while Mr. Rawson is an advisor to the Committee. Other Committee members are Martin C. Mitchell, chairman, Edward Lorenz, Adam Miskawitz, and Charles A. Chupa. These men are from New York, California, Illinois, and Michigan, respectively.

HASSLER BOOK

(*Continued from page* 1)

just one of the fellow prisoners that have properly and objectively become more than simple statistics to Mr. Hassler.

When the need for a change in prevalent concepts of criminal rehabilitation is depicted so forcefully in terms of humiliated and degraded human personalities, no Christian conscience can fail to sense a challenge.

WHY A U. S. JUDGE ACQUITS COs

A Los Angeles observer gives the following reasons why a certain judge in Southern California has given an unusually large number of acquittals lately:

1. The judge's view "that a decision of a selective service appeal board that is contrary to a recommendation by the Attorney General is arbitrary, in the absence of a reason stated by the appeal board."
2. The judge's view "that every registrant, including those given I–O by the local board, must be given an FBI investitgation when such a registrant appeals for a 'lower' classification," such as II-C, III-A, or IV-D.
3. The judge's interpretation of the Supreme Court's November Dickinson's decision "that without some evidence in the file contradicting the evidence furnished by the registrant, no board can give a registrant a 'higher' classification than the one claimed by him."

EVERNGAM REARRESTED

Howard Everngam, who was acquitted of refusing induction in 1951, has again been arrested. After the acquittal, Howard went through the entire appeal procedure. He was consistently refused a CO classification. Thus he again refused induction, was rearrested, and is presently out on bond awaiting trial.

The first acquittal was based on the fact that Everngam, a Catholic, was discriminated against by the hearing officer, who was also a Catholic. The hearing officer said that no Catholic could be a conscientious objector.

STATISTICALLY MINDED CO

A curious conscientious objector, who was just assigned to civilian work after 20 months of classification and assignment troubles, recorded the approximate number of letters written "around" his case. The statistics are as follows: letters registrant wrote, 45; letters and forms received by registrant, 50; letters written on registrant's behalf, 10; letters written and received by employing agency in getting approved, 15; TOTAL, 120. (This does not include the letters probably written within the Selective Service System.)

FAMILIAR QUESTIONS ASKED NEW SOUTH WALES COs

In a report entitled "COs in New South Wales," William Ridden, a Quaker, reports, among other things, on some of the questions asked COs. Following is a list. Obviously they are very similar to questions asked COs in this country during hearings.

"1. As a citizen you obey the laws of the land? (Answer, "Yes".) Well, how would serving under military orders be different from obeying the law?
2. What difference is there between taking orders from your present employer, and obeying military orders?
3. (To a CO who quoted God's law: Thou shalt not kill.) In noncombatant service, there is no question of taking life, so what could your objection be?
4. What difference is there between being a cook in the army, or a cook in civil life?
5. Do you believe that the whole army system is opposed to God's law?
6. (To the farmer): Would you be prepared to grow food for the army? (Answer: "No".) Well, would you grow food for munition workers?
7. What is the difference between the civil authorities ordering the death penalty for a murderer, and soldiers taking life by order of a military authority?
8. If your home were attacked, and the only way to defend it were to take life, what would you do?"

I-W DESCRIBES JOB

A Mennonite I-W working in the state of Maine, in a general hospital, says:

"I clean equipment and also sterilize it; make pentothal and I do a few other sterile procedures as wrapping sterile syringes and mixing drugs for the cardiac arrest tray. I also check supplies and drugs and see there is enough on hand, run errands for the department, gather laundry, and other such jobs."

The protection of registrants underlies recent Selective Service regulations limiting sharply the number of persons authorized to inspect Selective Service files of registrants, many of them from World War II, now stored in various state headquarters. Keeping files in confidence is a very significant principle.

STUDENT TO "PESTER AND TROUBLE" SUPERVISOR FOR ROTC EXEMPTION

College students, who are conscientious objectors, often are faced with problems in regard to participation in ROTC. One registrant wrote us the following: "I told (the advisor) of my beliefs and that I could not go to war, but he insisted that ROTC was needed for graduation. . . . He assured and advised me that it would not effect my Selective Service standing. . . .

"More than two years after having taken ROTC . . . I asked the Supervisor of Student Affairs if a student can get out of ROTC. 'Yes,' was the reply. I asked him if there were any written information on this, and he said 'No'." The Supervisor continued to say that those students who were religiously opposed to certain school practices usually come to him and bother him until he determines their sincerity and supplies them the proper petition. . . . Thus I would have had to pester and trouble him until receiving the petition form. . . . There was nothing on the form which would suggest exemption from ROTC because of religious reasons. . . . Unfortunately, I had received this information four years too late."

* * *

CRAWFORD ACQUITTED

Charles P. Crawford of Saratoga, California, was just acquitted in an unusual trial. He refused to submit to induction in August, 1953, because his local board had refused to reopen his classification after he filed a claim as a conscientious objector. Earlier he had received a postponement of induction.

The acquittal was handed to the young Presbyterian by Judge Edward P. Murphy. The basis for acquittal was that the law, as passed by Congress, allows COs to have their claims evaluated and appeals taken, if necessary. The local board held that, under the Selective Service Regulations, prescribed by the President, a classification cannot be reopened after an induction order has been sent. Judge Murphy stated that the Regulations are not applicable wherever they are contrary to the statutes of Congress.

* * *

GERALD BLACK GIVEN I-O AFTER MANY LEGAL STEPS

After five years of futile attempts to obtain recognition, an arrest for refusing induction, and the dismissal of his case from court twice, Gerald Ben Black of Michigan has finally received a I-O. In both August and November, 1953, Black had been indicted as a draft evader by a Federal Grand Jury, but each time he was subsequently set free.

Gerald Black's case has been marked by errors committed throughout his draft procedure. After receiving a I-A-O, he requested a personal appearance, was never given it, and instead had his case appealed by the local board. This resulted in the second trial dismissal. The first indictment was also dismissed because of an error in its wording. The hearing officer, during Black's appeal, stated that the registrant was not a sincere CO because "there is nothing in the teaching of the Methodist Church (of which Black is a member) which prohibits him from answering his call to duty and bearing arms."

* * *

SUPREME COURT UPHOLDS JOST

The U. S. Supreme Court has just strengthened and reaffirmed the principle that a conscientious objector to participation in war has a right to hold this position even though his denomination does not as a whole take such a position. The case on which this ruling was made involved Arthur Jost of Reedley, California, and came to the Supreme Court because California courts refused to grant him a petition for naturalization.

Mr. Jost had to request the Supreme Court to review the case by a "writ of certiorari," a petition which stated the facts and legal opinions of the case. But before the Supreme Court could call for a trial, the U. S. Solicitor General also had to file his arguments and opinions with the court. The U. S. Solicitor General stated, however, that the actions of the lower courts should be invalidated and "confessed error" in the earlier trials. Thus the Supreme Court granted Mr. Jost's petition for naturalization.

* * *

CATHOLIC COs ARRESTED

Three Catholic conscientious objectors, George A. Lillis, Arthur E. Duffy and James DeRyan, were arrested in January for refusal of induction into the armed forces. They were denied the I-O classification. These men have founded the "Council on War and Morality," an organization which has already done yeoman service to the general public by the production of several pieces of literature. These include "A Catholic Liturgy of Private Devotion for Peace," "A Bibliography of Catholic Sources on War, Peace and Objective Conscientious Objection," "The Catholic Peace Offensive." For copies write to the Council on War and Morality, 2127 Taylor Street, No. 7, San Francisco, California.

* * *

CORDS GIVEN PROBATION

Gustav August Cords, of California, received a remarkable three-year probationary sentence recently. Judge Yankwich, in giving the probation, stated that he felt "an injustice was done by the draft board, . . . the probation law was made to cover cases of this character, where, even though a verdict of guilty exists, . . . nonetheless probation should be granted. . . .

"The defendant will be admitted to probation for a period of three years, conditioned only upon his obeying the rules and regulations of the probation office, but not any further orders of the draft board."

* * *

THREE INDIANA MENNONITES SENTENCED

Three Indiana registrants, Freeman L. Wingard, Charles Wenger, Jr., and Manas Juhns, were just sentenced to two years in prison for refusing induction. Judge Steckler of Indianapolis gave these sentences to the three Mennonites after a lengthy review of their files in relationship to the recent *U. S.* v. *Dickinson* Supreme Court decision.

These three men were consistently refused a I-O classification, even though appeals were taken with the Presidential Board. Consequently, they refused to submit to induction in the spring of 1953, were convicted in November, 1953, and sentenced this past month.

* * *

VARIOUS CASES

David Eugene *Broadhead* and Ray Edward *Brussell*, of Montana, had their induction refusal court cases dismissed because the FBI investigative reports were not submitted to the judge. . . . Edward *Reed* and Jack *Parkhurst* had their five-year sentences for induction refusal reduced to three years. They belong to Christ's Church of the Golden Rule, in California. . . . A I-O classification was given to Robert Lee *Evans* after his court acquittal. The Evans case was the first acquittal based on the refusal of the Department of Justice to supply the FBI report to the court. . . . Jay S. *Whitwill*, who became a conscientious objector while in the Navy, has now been released from the Navy after many previous, futile attempts (see Nov. 1952, REPORTER). He was given an honorable discharge "for medical reasons in interest of better health. Not recommended for reenlistment or for recall." . . . Judge Peirson Hall of Los Angeles acquitted Paul D. *Lacasse* because certain letters submitted by the registrant to his draft board were not properly acted upon. These letters greatly influenced the Justice Department report but were not recognized by the draft board, who refused to reopen the classification.

Are CPS and I-W Twins?

In an article in *The I-W Mirror*, published by the Mennonite Central Committee for the men in I-W, Mr. Paul G. Tschetter, a former director of a Civilian Public Service Camp and now Assistant Administrator of St. Luke's Episcopal Hospital in Denver, had an article entitled "CPS and I-W—Are They Twins?" Following are some quotations from his article:

"The I-W program at St. Luke's Hospital is working out very well both from the standpoint of the men involved and the hospital administration. The men have a normal home life and after the usually brief getting settled period, they seem to swing into the routine of the hospital very readily. When I compare this fact with the very unsettled and unnatural conditions which existed in the average CPS camp, I realize that the uprooting processes which the I-W men undergo are comparatively small.

"It is my opinion that our men are having less difficulty in being accepted by the community than men in CPS. It seems to me that the very set of circumstances under which CPS operated was the basis for this difference.

"Another real problem in the more isolated CPS camps was the lack of the feminine touch. It was completely natural, for instance, to be eating in a mess hall with no women other than the director's wife, the dietitian, and the camp nurse. In our present arrangement, of course, that does not exist because many of our men are married and have their wives with them. The I-W program is a more natural situation and a more happy arrangement.

"Another one of the concerns I have is that men coming into non-Mennonite communities may find themselves lured to situations which would not be too conducive to a positive Christian witness. I am not interested in keeping Mennonite traditions as such, but I do believe that our Church has a mission and that we ought to carry out this mission.

"Just as the Mennonite Church did not come out of Civilian Public Service the same in its emphasis, so I believe that the Mennonite Church again will profit by this experience of the I-W program."

COUNSELOR FEARS REPORTER ADVICE "DANGEROUS"

A well-known and highly respected counselor of COs sent in a word of caution regarding the "caution" given in the box on page 4 of the December REPORTER. In that REPORTER it was pointed out that COs should state that their objections are based on personal beliefs and not merely on teachings of the church. Following is the comment of this counselor which we print for what value it may have:

"Your advice given in this article might be dangerous. The Hearing Officers in this area have repeatedly tried to get boys to state that their conscientious objections are a matter of 'personal moral code.' This has been done even to those who belong to historic peace churches.

"The questioning goes something like this:

Q. You say your Church is opposed to participation in war in any form?

A. Yes.

Q. Would your Church drop you from its roles if you were to enter the army?

A. No (which is usually the case). A peace church allows a man the same freedom of choice it asks the government to allow him.

Q. Well then, the Church doesn't actually *compel* you to take this stand, does it?

A. No.

Q. Then isn't this really just your own personal moral code?

"If the uninformed registrant answers yes—as frequently happens—the hearing officer will recommend denying his claim under the act on the grounds that the law does not provide for exemption if the opposition to war arises from 'a merely personal moral code.'

"Thus it is important here to state that the Church stands against war and that you follow the *Church's* stand on this.

"If a man isn't a member of a peace church, he must emphasize repeatedly that his stand is taken on the basis of his belief regarding the duties imposed on him by a Supreme Being and not simply on the basis of his idea of a code of conduct.

"I really believe that you should virtually insist that all registrants at the hearing-officer stage seek legal counsel familiar with the problem."

CO Sees Importance of Personal Records

A conscientious objector registrant, faced by an imminent court trial for refusal of induction, has recently made the following retrospective observations about the importance of maintaining complete personal records during the selective service classification and appeal procedure:

"I have found that things that were said and done at local board, state offices and induction centers have a great importance in trying my case. Had I made records of such things at the time it would have been in my benefit. What seemed at the time as unimportant events are of great importance. Such as the local board hearing—I am sure their records of hearing are not complete, but I cannot recall all that was said as so much time has passed since then. The same applies to the state hearing—what the hearing officer asked and what I told him. Had I taken down notes as soon as possible afterward, I would at least be able to better refresh my memory now. To sum up what I am trying to say is that I should have taken notes on each step of the way, recording every detail possible."

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The Mennonite Publishing House, 610-614 Walnut Avenue, Scottdale, Pennsylvania, has sent us a copy of "Strangers and Pilgrims," by James R. Graham, which sells for 35¢ and has 55 pages.

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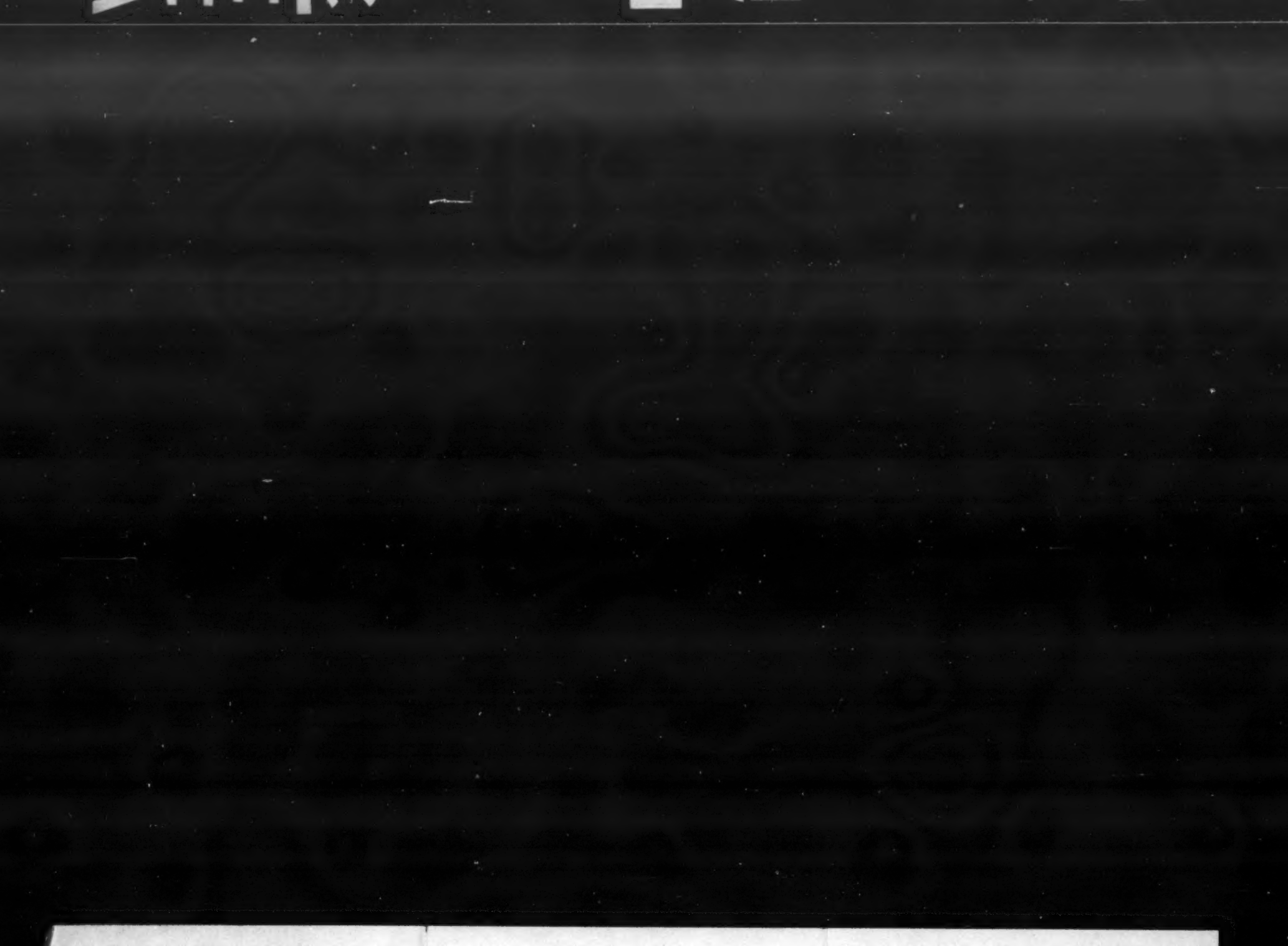
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